Motion Granted; Vacated and Remanded and Memorandum Opinion filed March 13, 2012.

In The

Fourteenth Court of Appeals

NO. 14-11-00055-CV

DIANA RUTH LOVELL, Appellant

V.

CHRISTOPHER WELDON MARTIN, Appellee

On Appeal from the 246th District Court
Harris County, Texas
Trial Court Cause No. 2009-18060

M E M O R A N D U M O P I N I O N

This is an appeal from an order on appellee's first amended motion in aid of agreement incident to divorce signed November 2, 2010. On March 5, 2012, the parties filed a joint motion to set aside the judgment below without reference to the merits and remand the cause to the trial court for rendition of a judgment in accordance with the parties' mediated and binding settlement agreement dated February 2, 2012. *See* Tex. R. App. P. 42.1. The motion is granted.

Accordingly, the trial court's order signed November 2, 2010, is set aside without reference to the merits, and the cause is remanded to the trial court for rendition of a

judgment in accordance with the parties' mediated and binding settlement agreement dated February 2, 2012, and for entry of an order that replaces, supplants and supercedes the November 2, 2012 order of the trial court.

It is further ordered that costs incurred in the appeal shall be paid by the party incurring them and this court's mandate shall issue immediately.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Jamison and McCally.